



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,246	07/01/2005	Mitsutoshi Shinkai	450100-04651	8574

7590 04/21/2009
William S Frommer
Frommer Lawrence & Haug
745 Fifth Avenue
New York, NY 10151

EXAMINER

EKPO, NNENNA NGOZI

ART UNIT	PAPER NUMBER
----------	--------------

2425

MAIL DATE	DELIVERY MODE
-----------	---------------

04/21/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,246	Applicant(s) SHINKAI, MITSUTOSHI	
	Examiner Nnenna N. Ekpo	Art Unit 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/27/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 57-63 is/are pending in the application.
- 4a) Of the above claim(s) 1-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 57-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 27, 2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 57-63 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 57-58 and 61** are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al. (U.S. Patent No. 6,157,934) in view of Enami (Image Processing in Program Production – DTP: Desk Top Program Production).

Regarding **claims 57 and 61**, Khan et al. discloses a system for use in producing workflow, comprising a composition table (spreadsheet) providing apparatus, and a plurality of terminals (see fig. 4 (20, 22, 24, 26, 28, 30)) including program content

Art Unit: 2425

gathering (fig. 4 (20)) and program production terminals (fig. 4 (22)) communicable with the composition table providing apparatus, respective terminals being operated by respective operating groups, wherein the composition table providing apparatus comprises (see fig 4):

storage means for storing composition table data containing updatable information describing successive tasks to be performed and completed by different ones of said operating groups required for the production of workflow, said composition table data storing links to the workflow content data stored in said workflow storage (see col. 2, lines 11-52, col. 4, lines 16-19), and

control means for providing the composition table data to each of the terminals for viewing at each terminal, and for processing information input from the terminals to be added to the composition table data (see abstract, lines 1-18, col. 6, lines 12-26); and wherein each terminal comprises:

acquisition means for acquiring the composition table data by communicating with the composition table providing apparatus (see col. 5, lines 59-col. 6, line 6),

display means for displaying the composition table data acquired by the acquisition means, including the tasks to be performed and the tasks completed by respective groups (see col. 2, lines 23-28, lines 63-col. 3, line 6),

input information generating means for generating information to be input to said composition table, said input information including end of task data representing the completion of the task performed by a respective group (see col. 3, lines 37-49), and

input information transmitting means for transmitting the input information to the composition table providing apparatus to update the composition table that is stored and displayed at the terminals (see col. 4, lines 3-33),

whereby the display at a terminal of said end of task data in said composition table data instructs a group to perform the next successive task following the task that has been completed (see col. 2, lines 35-60, col. 3, lines 37-67). Kahn et al. discloses database on col. 5, lines 20-22.

However, Kahn et al. fails to specifically disclose a video program production and a video program database for storing video program content data inputted from said program content gathering and program production terminals.

Enami discloses a video program production (see pages 1-2) and a video program database for storing video program content data inputted from said program content gathering and program production terminals (see fig 1 (27)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al.'s invention with the above mentioned limitation as taught by Enami for the advantage of producing high-quality programs efficiently in order to meet the higher demand on new program production in the multimedia era.

Regarding **claim 58**, Khan et al. discloses a program production system for use in producing a workflow program, comprising a composition table (spreadsheet) providing apparatus, and a plurality of terminals (see fig. 4 (20, 22, 24, 26, 28, 30))

Art Unit: 2425

including A/V content gathering (fig. 4 (26)) and A/V editing terminals (fig. 4 (28)) communicable with the composition table providing apparatus, respective terminals being operated by respective operating groups (see fig. 2),

wherein the composition table providing apparatus comprises:

storage means for storing composition table data containing updatable information describing gathering and editing tasks to be performed and completed by content gathering and editing operating groups required for the production of workflow program (see col. 2, lines 11-52, col. 4, lines 16-19),

said composition table data including links to said content in said database/storage (see col. 5, lines 29-38), and

control means for providing the composition table data to the terminals for viewing at each terminal, and for processing information input from the terminals to be added to and update the composition table data (see abstract, lines 1-18, col. 6, lines 12-26); and wherein each terminal comprises:

acquisition means for acquiring the composition table data by communicating with the composition table providing apparatus (see col. 5, lines 59-col. 6, line 6),

display means for displaying the composition table data acquired by the acquisition means, including the content gathering and editing tasks performed and completed by said operating groups (see col. 2, lines 23-28, lines 63-col. 3, line 6), and for displaying said information when a link thereto in said composition table data is selected (see col. 7, lines 51-58),

input information generating means for generating information to be input to said composition table, said input information including end of task data representing the completion of the task performed by a respective group (see col. 3, lines 37-49), and

input information transmitting means for transmitting the input information to the composition table providing apparatus to update the composition table that is stored and displayed at the terminals (see col. 4, lines 3-33),

whereby the display at a terminal of information in said composition table data representing the completion of a task by one group instructs another group to perform the next successive task following the task that has been completed (see col. 2, lines 35-60, col. 3, lines 37-67). Kahn et al. discloses database on col. 5, lines 20-22.

However, Kahn et al. fails to specifically disclose a video program production, a database for storing audio and video content for said video program.

Enami discloses a video program production (see pages 1-2) and a video program database for storing video program content data inputted from said program content gathering and program production terminals (see fig 1 (27)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al.'s invention with the above mentioned limitation as taught by Enami for the advantage of producing high-quality programs efficiently in order to meet the higher demand on new program production in the multimedia era.

Art Unit: 2425

5. **Claims 59 and 62** are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al. (U.S. Patent No. 6,157,934) in view of Enami (Image Processing in Program Production – DTP: Desk Top Program Production) and Farmer (U.S. Publication No. 2005/0055239).

Regarding **claims 59 and 62**, Khan et al. discloses a program production system for use in producing a workflow program, comprising a composition table (spreadsheet) providing apparatus, and a plurality of terminals (see fig. 4 (20, 22, 24, 26, 28, 30)) including program content gathering (fig. 4 (26)) and program production terminals (fig. 4 (30)) communicable with the composition table providing apparatus, respective terminals being operated by respective operating groups (see fig. 2),

wherein the composition table providing apparatus comprises:

storage means for storing composition table data containing information describing successive tasks to be performed and completed by different ones of said operating groups required for the production of said workflow, said composition table data storing links to the video program content data stored in said video program database/storage (see col. 2, lines 11-52, col. 4, lines 16-19), and

control means for providing the composition table data to each of the terminals for viewing at each terminal (see fig. 2), wherein each terminal comprises:

acquisition means for acquiring the composition table data by communicating with the composition table providing apparatus (see col. 5, lines 59-col. 6, line 6),

display means for displaying the composition table data acquired by the acquisition means, including the tasks to be performed and the tasks completed by respective operating groups (see col. 2, lines 23-28, lines 63-col. 3, line 6),

input information generating means for generating information to be input to said composition table, said input information including end of task data representing the completion of the task performed by a respective group (see col. 3, lines 37-49), and

input information transmitting means for transmitting the updatable items to the composition table providing apparatus so as to update the composition table that is displayed at the terminals (see col. 4, lines 3-33),

whereby the display at a terminal of said end of task data in said composition table data instructs a group to perform the next successive task following the task that has been completed (see col. 2, lines 35-60, col. 3, lines 37-67). Kahn et al. discloses database on col. 5, lines 20-22.

However, Kahn et al. fails to specifically disclose a video program production, a video program database for storing video program content data inputted from said program content gathering and program production terminals, said composition table data further containing updateable items, with each operating group having authorization to access and update only certain predetermined ones of said updatable items, and for processing said certain predetermined updatable items, input from the terminals of those authorized operating groups, to be added to the composition table data; access means for enabling said terminal to access and add to said composition

Art Unit: 2425

table data only certain predetermined updatable items from the authorized operating group.

Enami discloses a video program production (see pages 1-2) and a video program database for storing video program content data inputted from said program content gathering and program production terminals (see fig 1 (27)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al.'s invention with the above mentioned limitation as taught by Enami for the advantage of producing high-quality programs efficiently in order to meet the higher demand on new program production in the multimedia era.

However, Kahn et al. and Enami fail to specifically disclose said composition table data further containing updateable items, with each operating group having authorization to access and update only certain predetermined ones of said updatable items, and for processing said certain predetermined updatable items, input from the terminals of those authorized operating groups, to be added to the composition table data; access means for enabling said terminal to access and add to said composition table data only certain predetermined updatable items from the authorized operating group.

Farmer discloses updatable operating group having authorization to access and update only certain predetermined ones of said updatable items (see paragraphs 0032-0033, 0037, 0042, 0052-0053 and fig 4),

processing said certain predetermined updatable items, input from the terminals of those authorized operating groups, to be added to the composition table data (see paragraphs 0032-0033, 0037, 0042, 0052-0053 and fig 4),

access means for enabling said terminal to access and add to said composition table data only certain predetermined updatable items from the authorized operating group (see paragraphs 0032-0033, 0037, 0042, 0052-0053 and fig 4).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al. and Enami's invention with the above mentioned limitation as taught by Farmer for the advantage of only allowing authorized personnel to access predetermined work area to complete their work task.

6. **Claims 60 and 63** are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al. (U.S. Patent No. 6,157,934) in view of Enami (Image Processing in Program Production – DTTP: Desk Top Program Production) and Page et al. (U.S. Patent No. 6,212,549).

Regarding **claims 60 and 63**, Khan et al. discloses a program production system for use in producing a workflow program, comprising a composition table (spreadsheet) providing apparatus, and a plurality of terminals (see fig. 4 (20, 22, 24, 26, 28, 30)) including A/V content gathering (fig. 4 (26)) and A/V editing terminals (fig. 4 (28)) communicable with the composition table providing apparatus, respective terminals being operated by respective operating groups (see fig. 2),

wherein the composition table providing apparatus comprises:

storage means for storing updatable composition table data containing updatable information describing workflow tasks to be performed and completed by workflow operating groups required for the production of said program (see col. 2, lines 11-52, col. 4, lines 16-19),

said composition table data including links to said content in said database/storage (see col. 7, lines 51-58), and

control means for providing the composition table data to each of the terminals for viewing at each terminal, and for updating said composition table data with information input from at least some of the terminals (see abstract, lines 1-18, col. 6, lines 12-26); and wherein each terminal comprises:

acquisition means for acquiring the composition table data by communicating with the composition table providing apparatus (see col. 5, lines 59-col. 6, line 6),

display means for displaying the composition table data acquired by the acquisition means, including the content gathering and editing tasks performed and completed by said operating groups (see col. 2, lines 23-28, lines 63-col. 3, line 6), and

retrieving means for retrieving from said content database said information when a displayed link thereto in said composition table data is selected (see col. 7, lines 51-58), and

wherein the terminal used by an edit operating group includes means for performing an edit operation on at least said retrieved information in accordance with

Art Unit: 2425

said information in said displayed composition table data describing said editing tasks, thereby producing edited content information (see col. 4, lines 16-23),

whereby the display at a terminal of information in said composition table data representing the completion of a task by said operating group instructs another group to perform the next successive task following the task that has been completed by said operating group (see col. 2, lines 35-60, col. 3, lines 37-67).

However, Kahn et al. fails to specifically disclose an A/V database for storing audio and video content for said video program, input information generating means for generating edit information describing said edit operation to be input to said composition table, said input information including end of task data representing the completion of the task performed by the edit operating group, and transmitting means for transmitting the edit information and end of task data to the composition table providing apparatus for updating said composition table data that is stored and displayed at the terminals.

Enami discloses a video program production (see pages 1-2) and

a video program database for storing video program content data inputted from said program content gathering and program production terminals (see fig 1 (27)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al.'s invention with the above mentioned limitation as taught by Enami for the advantage of producing high-quality programs efficiently in order to meet the higher demand on new program production in the multimedia era.

However, Kahn et al. and Enami fail to specifically disclose input information generating means for generating edit information describing said edit operation to be input to said composition table, said input information including end of task data representing the completion of the task performed by the edit operating group, and transmitting means for transmitting the edit information and end of task data to the composition table providing apparatus for updating said composition table data that is stored and displayed at the terminals.

Page et al. discloses input information generating means for generating edit information describing said edit operation to be input to said composition table, said input information including end of task data representing the completion of the task performed by the edit operating group (see col. 3, lines 55-col. 4, line 7) , and

transmitting means for transmitting the edit information and end of task data to the composition table providing apparatus for updating said composition table data that is stored and displayed at the terminals (see col. 6, lines 32-46, col. 10, lines 57-col. 11, line 6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kahn et al. and Enami's invention with the above mentioned limitation as taught by Page et al. for the advantage of collaborative project development and communication among the project participants.

Citation of Pertinent Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lahey et al. (U.S. Publication No. 2005/0228711) discloses workflow management system for creating and delivering output material.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nnenna N. Ekpo whose telephone number is 571-270-1663. The examiner can normally be reached on Monday - Friday 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nnenna N. Ekpo/
Patent Examiner
April 8, 2009.

Application/Control Number: 10/521,246

Page 15

Art Unit: 2425

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425

Application/Control Number: 10/521,246
Art Unit: 2425

Page 16